

2021 SESSION

INTRODUCED

21100704D

HOUSE BILL NO. 1780

Offered January 13, 2021

Prefiled December 29, 2020

A *BILL to amend and reenact § 40.1-55, as it is currently effective and as it shall become effective, of the Code of Virginia, relating to prohibition on strikes by government employees; exempt teachers and other employees of certain local school boards.*

Patrons—Carter, Aird, Cole, J.G., Hurst, Kory and Samirah

Referred to Committee on Labor and Commerce

Be it enacted by the General Assembly of Virginia:

1. That § 40.1-55, as it is currently effective and as it shall become effective, of the Code of Virginia is amended and reenacted as follows:

§ 40.1-55. (Effective until May 1, 2021) Employee striking terminates, and becomes temporarily ineligible for, public employment.

A. Any employee of the Commonwealth, or of any county, city, town, or other political subdivision thereof, or of any agency of any one of them, who, in concert with two or more other such employees, for the purpose of obstructing, impeding, or suspending any activity or operation of his employing agency or any other governmental agency, strikes or willfully refuses to perform the duties of his employment shall, by such action, be deemed to have terminated his employment and shall thereafter be ineligible for employment in any position or capacity during the next ~~twelve~~ 12 months by the Commonwealth, or any county, city, town, or other political subdivision of the Commonwealth, or by any department or agency of any of them.

B. *The provisions of this section shall not apply to any employee of any local school board.*

§ 40.1-55. (Effective May 1, 2021) Employee striking terminates, and becomes temporarily ineligible for, public employment.

A. Any employee of the Commonwealth, or of any county, city, town, or other political subdivision thereof, or of any agency of any one of them, who, in concert with two or more other such employees, for the purpose of obstructing, impeding, or suspending any activity or operation of his employing agency or any other governmental agency, strikes or willfully refuses to perform the duties of his employment shall, by such action, be deemed to have terminated his employment and shall thereafter be ineligible for employment in any position or capacity during the next 12 months by the Commonwealth, or any county, city, town, or other political subdivision of the Commonwealth, or by any department or agency of any of them.

B. The provisions of subsection A shall apply to any employee of any county, city, or town ~~or local school board~~ without regard to any local ordinance ~~or resolution~~ adopted pursuant to § 40.1-57.2 by such county, city, or town ~~or school board~~ that authorizes its employees to engage in collective bargaining.

C. *The provisions of this section shall not apply to any employee of any local school board.*

INTRODUCED

HB1780